



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



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WETLANDS AND NON-SITE SPECIFIC PERMIT 2018-02051

NOTE CONDITIONS

PERMITTEE: NH DEPT OF TRANSPORTATION
BUREAU OF BRIDGE DESIGN
7 HAZEN DR
CONCORD NH 03302

PROJECT LOCATION: US RTE 4, DURHAM
TAX MAP #n/a, LOT #n/a

WATERBODY: BUNKER CREEK

AMENDMENT DATE: MAY 01, 2020

APPROVAL DATE: DECEMBER 07, 2018

EXPIRATION DATE: DECEMBER 07, 2023

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Replace a 15 foot span bridge and 30 foot wide roadway with a 73 foot span bridge and 34 foot wide roadway impacting 63,155 square feet of tidal buffer zone, estuarine and palustrine wetlands (26,968 square feet temporary). Compensatory mitigation includes a one-time payment of \$214,447.00 to the Aquatic Resource Mitigation (ARM) Fund. NHDOT project #16236.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC AMENDED CONDITIONS:

1. All work shall be in accordance with plans by the NH Department of Transportation (NHDOT) Bureau of Highway Design dated May 23, 2019, and revised through November 8, 2019 as received by the NH Department of Environmental Services (NHDES) on December 3, 2019. In addition, work shall be in accordance with the narrative by the NHDOT Bureau of Environment dated November 24, 2019 as received by the NHDES on December 3, 2019.
2. Prior to the start of construction, the applicant shall provide plans showing existing and proposed topography that clearly label contour lines. Plans stating "Preliminary Plans Subject to Change" shall be replaced with final plans meeting the permit conditions.
3. Stone slopes protecting the abutments shall be 1.5:1 or steeper.
4. Stone slopes protecting the road embankment fills into estuarine wetlands shall be 2:1 or steeper.
5. Prior to the start of construction, the applicant shall provide the details required for rip rap per rule Env-Wt 404.04 including plans stamped by a professional engineer.
6. Prior to the start of construction, the applicant shall provide a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project per rule Env-Wt 404.04
7. Prior to the start of construction, the applicant shall provide plans, details and specifications for establishing the natural substrate channel.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

8. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the NHDES Wetlands Bureau at least 10 working days in advance of the meeting to be held as required by permit condition #9. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or other mutually agreed upon location to review the conditions of this wetlands permit.
10. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
11. Construction monitoring reports shall be provided to the Wetlands Bureau file as determined at the pre-construction meeting to be held in accordance with condition #9.
12. Dredged material shall be placed out of the NHDES Wetlands Bureau's jurisdiction.
13. Construction equipment shall not be located within surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
15. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
16. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting/matting and pinning on slopes steeper than 2:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching, or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1, and stabilized by matting and pinning on slopes steeper than 2:1.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. The limit of tree and shrub clearing shall be clearly marked prior to construction, and maintained until the project is stabilized.
20. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation, and areas cleared of vegetation shall be revegetated as quickly as possible.
21. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
22. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
23. The impacts associated with the temporary work shall be restored immediately following construction.
24. Cofferdams shall not be installed during periods of high tidal water flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
25. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
26. Temporary cofferdams shall be entirely removed immediately following construction.
27. No work shall be conducted in tidal water between Feb. 15 and June 30.
28. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.

29. All activity shall be in accordance with the current Comprehensive Shoreland Protection Act, RSA 483-B.
30. This approval is contingent upon the receipt of an additional impact ARM Fund payment in the amount of \$5,584.46, bringing the total amount of compensatory mitigation paid to the ARM Fund to \$214,447.00. The amount of \$5,584.46 shall be received by the NHDES within 60 days of the amended approval date of this permit.

GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species;
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED:



David Price
Wetlands Bureau
Land Resources Management

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BY SIGNING BELOW, I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.



OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)

**NEW HAMPSHIRE
DEPARTMENT OF STATE**



I, David M. Scanlan, Deputy Secretary Of State, of the State of New Hampshire, do hereby certify that the Governor and Executive Council, at their meeting on June 24, 2020 approved ITEM #151 the NH Department of Transportation Bureau of Bridge Design's request to amend wetlands permit #2018-02051 and perform work on Bunker Creek.



**In Testimony Whereof, I hereto
set my hand and cause to be affixed the
Seal of the State of New Hampshire,
this twenty-fourth day of June, in the
year of Our Lord, two thousand and
twenty.**

A handwritten signature in black ink, appearing to read "D. Scanlan".

Deputy Secretary of State